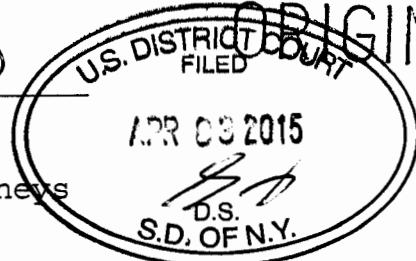


Approved: _____

DANIEL C. RICHENTHAL
BENET J. KEARNEY
Assistant United States Attorneys



Before: THE HONORABLE JAMES L. COTT
United States Magistrate Judge
Southern District of New York

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UNITED STATES OF AMERICA

- v. -

JONNATAN REYES,

Defendant.

COMPLAINT

Violations of
18 U.S.C. §§ 371, 1704
and 2

COUNTY OF OFFENSE:
BRONX

DOC # 1

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SOUTHERN DISTRICT OF NEW YORK, ss.:

KEVIN P. ADAMS, being duly sworn, deposes and says that he is a Special Agent with the United States Postal Service, Office of Inspector General ("USPS-OIG"), and charges as follows:

COUNT ONE.

(Conspiracy to Steal and to Sell Postal Keys)

1. From at least in or about Fall 2010 up to and including in or about March 2015, in the Southern District of New York and elsewhere, JONNATAN REYES, the defendant, together with others known and unknown, willfully and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States.

2. It was a part and an object of the conspiracy that JONNATAN REYES, the defendant, together with others known and unknown, would and did steal, purloin, embezzle, and obtain by false pretense a key suited to a lock adopted by the Post Office Department and the Postal Service and in use on the mails and bags thereof, and a key to a lock box, lock drawer, and other authorized receptacle for the deposit and delivery of mail matter, and would and did knowingly and unlawfully possess such mail lock and key with the intent unlawfully and improperly to use, sell, and otherwise dispose of the same, and to cause the same to be unlawfully and improperly

used, sold, and otherwise disposed of, in violation of Title 18, United States Code, Section 1704.

Overt Acts

3. In furtherance of the conspiracy, and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. In or about Fall 2010, in the Bronx, New York, JONNATAN REYES, the defendant, sold an arrow key belonging to the USPS for approximately \$6,000.

b. In or about March 2015, in the Bronx, New York, JONNATAN REYES, the defendant, stole an arrow key belonging to the USPS.

(Title 18, United States Code, Section 371.)

COUNT TWO

(Theft and Sale of a Post Office Key)

4. In or about Fall 2010, in the Southern District of New York and elsewhere, JONNATAN REYES, the defendant, stole, purloined, embezzled, and obtained by false pretense a key suited to a lock adopted by the Post Office Department and the Postal Service and in use the mails and bags thereof, and a key to a lock box, lock drawer, and other authorized receptacle for the deposit and delivery of mail matter, and knowingly and unlawfully possessed such mail lock and key with the intent unlawfully and improperly to use, sell, and otherwise dispose of the same, and to cause the same to be unlawfully and improperly used, sold, and otherwise disposed of, to wit, REYES unlawfully obtained and then sold an arrow key belonging to the USPS.

(Title 18, United States Code, Sections 1704 and 2.)

COUNT THREE

(Theft of a Post Office Key)

5. From at least on or about December 9, 2014 up to and including in or about March 2015 in the Southern District of New York and elsewhere, JONNATAN REYES, the defendant, stole, purloined, embezzled, and obtained by false pretense a key suited to a lock adopted by the Post Office Department and the Postal Service and in use the mails and bags thereof, and a key to a lock box, lock drawer,

and other authorized receptacle for the deposit and delivery of mail matter, and knowingly and unlawfully possessed such mail lock and key with the intent unlawfully and improperly to use, sell, and otherwise dispose of the same, and to cause the same to be unlawfully and improperly used, sold, and otherwise disposed of, to wit, REYES unlawfully obtained, with intent to sell, an arrow key belonging to the USPS.

(Title 18, United States Code, Sections 1704 and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

6. I have been a Special Agent with USPS-OIG for approximately nine months. Before that, I was a Postal Inspector for the United States Postal Inspection Service since 2010. I have participated in the investigation of this matter, and I am familiar with the information contained in this affidavit based on my own personal participation in the investigation, my review of documents, audio recordings, and conversations that I have had with other individuals and law enforcement agents. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all the facts that I have learned during the course of my investigation. Where the contents of documents, and the actions and statements of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

7. Based on my training and experience, I have learned that the USPS uses special keys, commonly known as "arrow keys," which are able to open all mailboxes within a specific zip code. Because of the broad access such keys provide, only certain USPS employees are authorized to possess and use them.

8. Based on my interviews of a cooperating witness (the "CW"),¹ and my conversations with other law enforcement officers, I have learned, in substance and in part, that, in approximately Fall 2010, a co-conspirator not named as a defendant herein ("CC-1"), set up a meeting between the CW and another individual, whom the CW did

¹ The CW is cooperating with law enforcement in hopes of receiving leniency in a pending criminal case, and the CW's information has proved to be accurate and reliable, and has been corroborated by independent evidence.

not know at the time, for the purpose of the CW purchasing an arrow key.² At that meeting, which occurred in the Bronx, New York, the CW paid CC-1 and CC-2 approximately \$6,000 for the arrow key. Subsequently, the CW viewed a photo array and identified a photograph of JONNATAN REYES, the defendant, as CC-2.

9. Based on my review of documents and my conversations with other law enforcement personnel, I have learned that JONNATAN REYES, the defendant, has been an employee with the USPS since in or about 2007, that REYES works at the Jerome Avenue Station in the Bronx, New York, and that CC-1 was an employee with the USPS, also at the Jerome Avenue Station, from on or about June 24, 2006 until on or about March 20, 2010.

10. Based on my participation in the investigation, my interviews of the CW, my conversations with other law enforcement officers, and my review of documents and draft reports of recordings, I have learned the following, in substance and in part:

a. On or about December 9, 2014, at the direction of law enforcement, the CW called CC-1 to tell CC-1 that the CW wanted to purchase another arrow key. CC-1 informed the CW that CC-1's "connection" at the USPS was still working for the USPS and could obtain another arrow key for the CW.

b. Toll records indicate that between on or about December 9, 2014 and on or about December 22, 2014, CC-1 contacted JONNATAN REYES, the defendant, seven times and that REYES contacted CC-1 once, via text message.

c. On or about December 28, 2014, at the direction of law enforcement, the CW, equipped with an audio recording device, called CC-1. During the conversation, which was consensually recorded, the CW inquired about purchasing an arrow key from the individual whom CC-1 had "hooked him up with the first time." CC-1 responded that the individual who had obtained the arrow key previously had not returned CC-1's call, but that CC-1 had found another individual willing to sell an arrow key.

d. On or about March 9, 2015, CC-1 was arrested in the Bronx, New York after CC-1 sold an arrow key to the CW.

² At the time of this meeting, the CW was not yet cooperating with law enforcement.

11. On or about April 3, 2015, I participated in an interview of JONNATAN REYES, the defendant. After being advised of his *Miranda* rights, REYES stated, in substance and in part:

a. In the Fall of 2010, CC-1 contacted REYES about obtaining an arrow key to sell. REYES agreed to obtain an arrow key.

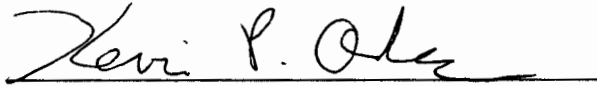
b. REYES subsequently stole an arrow key from the registry cage³ at the post office where he works.

c. In approximately the Fall 2010, REYES and CC-1 met with the CW. The CW paid REYES and CC-1 approximately \$6,000 for the arrow key, of which REYES and CC-1 each kept \$3,000.

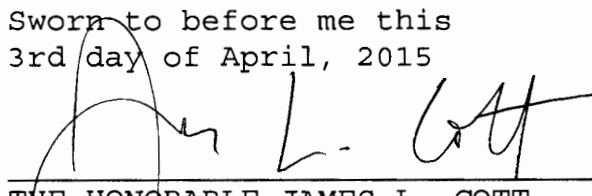
d. Recently, CC-1 contacted REYES about obtaining another arrow key.

e. REYES subsequently stole another arrow key from the registry cage in the post office where he works. REYES later returned the key to a post office supervisor.

WHEREFORE, deponent respectfully requests that JONNATAN REYES, the defendant, be imprisoned, or bailed, as the case may be.


KEVIN P. ADAMS
Special Agent
USPS-OIG

Sworn to before me this
3rd day of April, 2015


THE HONORABLE JAMES L. COTT
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK

³ Based on my training and experience, I have learned that a "registry cage" is a secured area within a post office where arrow keys and registered packages are kept. Only authorized personnel, which JONNATHAN REYES, the defendant, is not, may enter the area.